

District Judge James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ZINEB SIDI KHOUYA,

Plaintiff,

v.

MERRICK GARLAND, *et al.*,

Defendants.

Case No. 2:24-cv-00168-JLR

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
~~[PROPOSED]~~ ORDER

Noted for Consideration:
April 16, 2024

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to hold this case in abeyance until September 18, 2024. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate her Form I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently due on April 22, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until September 18, 2024.

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STIPULATED MOTION FOR ABEYANCE
[Case No. 2:24-cv-00168-JLR] - 1

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1 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
3 control the disposition of the causes on its docket with economy of time and effort for itself, for
4 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R.
5 Civ. P. 1.

6 With additional time, this case may be resolved without the need of further judicial
7 intervention. USCIS has scheduled Plaintiff’s asylum interview for May 21, 2024. USCIS
8 agrees to diligently work towards completing the adjudication within 120 days of the interview,
9 absent unforeseen or exceptional circumstances that would require additional time for
10 adjudication. If the adjudication is not completed within that time, USCIS will provide a status
11 report to the Court. Plaintiff will submit all supplemental documents and evidence, if any, to
12 USCIS seven to ten days prior to the interview date. Plaintiff recognizes that failure to submit
13 documents prior to the interview may require the interview to be rescheduled and the
14 adjudication delayed. If needed, Plaintiff will bring an interpreter to the interview, otherwise
15 the interview will need to be rescheduled and the adjudication delayed. After the interview,
16 USCIS will need time to adjudicate Plaintiff’s asylum application. Once the application is
17 adjudicated, Plaintiff will dismiss the case with each party to bear their own litigation costs and
18 attorneys’ fees. Accordingly, the parties request this abeyance to allow USCIS to conduct
19 Plaintiff’s asylum interview and then process his asylum application.

20 As additional time is necessary for this to occur, the parties request that the Court hold the
21 case in abeyance until September 18, 2024. The parties will submit a joint status report on or
22 before September 18, 2024.

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24 //

1 DATED this 16th day of April, 2024.

2 Respectfully submitted,

3 TESSA M. GORMAN
United States Attorney

GIBBS HOUSTON PAUW

4 s/ Michelle R. Lambert

s/ Adam Boyd

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9 *Attorneys for Defendants*

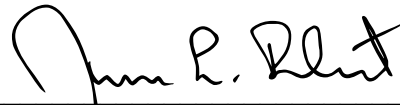
Attorney for Plaintiff

10 ***I certify that this memorandum contains 414***
11 ***words, in compliance with the Local Civil***
12 ***Rules.***

~~PROPOSED~~ ORDER

The case is held in abeyance until September 18, 2024. The parties shall submit a joint status report on or before September 18, 2024. It is so **ORDERED**.

DATED this 16th day of April, 2024.



JAMES L. ROBART
United States District Judge